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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Forty-ninth session

SUMMARY RECORD OF THE 1173rd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 15 August 1996, at 3 p.m.

Chairman: Mr. BANTON

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PA
UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued)

Eighth, ninth, tenth, eleventh and twelfth periodic reports of Mauritius (CERD/C/280/Add.2; HRI/CORE/1/Add.60)

1. At the invitation of the Chairman, the delegation of Mauritius took places at the Committee table.

2. Mr. BAICHOO (Mauritius) said that his country was pleased to renew dialogue with the Committee. A multilingual, multi-ethnic and multiracia country, Mauritius was traditionally committed to the observance of human rights and the principle of unity in diversity. His delegation was ready answer any questions that the members of the Committee might wish to ask concerning the report.

3. Mr. SEETULSINGH (Mauritius) said that his country had ratified most the international human rights instruments. It had reported in 1995 to t Committee against Torture, the Committee on the Elimination of Discrimina against Women and the Committee on Economic, Social and Cultural Rights, in March 1996 to the Human Rights Committee; in October it would be summi a report to the Committee on the Rights of the Child. Also in October 19 Mauritius would host the meeting of the Committee established under the African Charter on Human and Peoples' Rights, where it would present a re

4. Mauritius was a working democracy and had a parliamentary form of government. A new Government had been elected in December 1995. The mem of the two parties in power might be of different descent (Indian, Muslim African, European, Chinese or mixed), but they were united in their commi to progress and the rule of law. The press was very vigilant concerning respect for human rights and democracy, and drew attention to situations which citizens' rights were being infringed. Non-governmental organizati were also very active and Amnesty International, for example, had recent received funds from a Scandinavian organization to launch a teaching pro in Mauritius. The Ministry of Education was furthermore cooperating wit UNICEF to promote the ideals of peace, tolerance and interdependence wit the school environment. The new Government had undertaken to establish Equal Opportunities Commission and no discrimination was allowed in recruitment for work in the public sector. Lastly, a small human rights was being set up within the Ministry of Justice to improve reporting procedures.

5. Mr. GARVALOV (Country Rapporteur) welcomed the fact that the dialo between Mauritius and the Committee had been renewed and that a delegati the State party was present. In preparing his own report, he had referr the periodic report under consideration (CERD/C/280/Add.2) and to the co document (HRI/CORE/1/Add.60), as well as to the relevant proceedings of Human Rights Committee, the Committee on Economic, Social and Cultural R and the Committee on the Rights of the Child.

6. It would be recalled that the Committee had considered the implementation of the Convention in Mauritius in March 1994 without a re

and in the absence of a delegation from the State party. In its concluding observations, the Committee had accordingly drawn the Government's attention to the possibility of requesting technical assistance from the Centre for Human Rights. It had also noted that there appeared to be no grounds for serious concern about racial discrimination, but had expressed the wish to receive more precise information concerning the ethnic composition of the population, the measures taken to give effect to article 4 of the Convention and the legal remedies available to persons who felt that they were being subjected to racial discrimination. Lastly, it had requested further information on how the educational system promoted tolerance.

7. The report under consideration was a great improvement on the previous one. It conformed to the Committee's guidelines, contained valuable information and provided answers to certain questions. Praiseworthy recent developments included the Public Gathering Act 1991 (para. 33), which together with section 282 of the Criminal Code punished incitement to racial hatred, and the Mauritius Citizenship (Amendment) Act 1995 (para. 50), which facilitated naturalization and recognized dual nationality in accordance with the requirements of the Convention.

8. In general, the information supplied on the ethnic composition of the population was interesting and there was no reason for concern about the fact that, in order to promote a Mauritian identity, the public authorities preferred not to indicate a breakdown of the population by community in censuses (as long, of course, as that policy was not aimed at forced assimilation). However, the question arose as to why persons of Creole and European origin made up the so-called "general population" and why "Muslims" were listed among the ethnic groups. Regarding the composition of the National Assembly, paragraph 6 of the report said that 8 of the 70 members were selected from among the best losers at the elections. How did the system actually ensure a fair representation of the various ethnic components of the population? The delegation might, furthermore, wish to confirm that the Convention could be invoked directly before the Mauritian courts, as it would appear from paragraph 12 of the report, since that would be very positive indeed.

9. Concerning the information provided on article 2 of the Convention, section 16 of the Constitution prohibited the passing of any law that was discriminatory "subject to certain exceptions" (para. 16 of the report). What were those exceptions? Paragraphs 17 to 19 of the report provided some interesting information on the constitutional provisions guaranteeing civil and political rights, although that information would seem to be more directly relevant to the work of the Human Rights Committee. Also with regard to article 2, it was stated in paragraph 20 of the report that a denomination or association could be prevented from establishing schools at its own expense under certain circumstances. What were those circumstances? Paragraph 23 referred to the provisions of the Criminal Code concerning acts of incitement to racial hatred. Why were such acts not prohibited or at least declared to be offences punishable by law? Lastly, paragraph 31 stated that no case of racial discrimination had been reported since the submission of the last

report. Did the fact that no complaints had been filed in the courts
that there had been no racial abuses, or was it that people were reluc
go to court for various reasons?

10. As far as the implementation of article 3 of the Convention was
concerned, it would be recalled that Mauritius had established relatio
South Africa since the abolition of apartheid in that country. The
information provided in relation to article 4, concerning the Public G
Act 1991 and section 282 of the Criminal Code, was a little brief and
Mauritius did not seem to have entirely fulfilled the requirements in
article 4 (b) by declaring illegal and prohibiting all activities whic
incited racial hatred. It also seemed that in some areas of private l
covered by section 16 of the Constitution, such as adoption, marriage
divorce, the legislation should be supplemented to eliminate any possi
of discrimination.

11. Regarding the implementation of article 5 of the Convention, the
information contained in the report did not enable the Committee to de
whether some of the limitations on the freedom of the press provided f
the Constitution were based on the need to prevent the expression of r
prejudice. Paragraph 31 mentioned the banning of a book on the ground
it could incite racial conflicts, and during its consideration of the
periodic report of Mauritius, the Human Rights Committee had noted wit
concern that two literary works had recently been banned without legal
measures and that there were extra-legal restrictions on freedom of
expression. Judging from the report, the provisions governing nationa
marriage, property, freedom of religion, housing, the right to health
social security, to education and to participate in cultural activitie
conformed to the requirements of the Convention. Concerning the right
equal treatment before the tribunals, it was said in the report that t
doctrine of separation of powers guaranteed the independence of the ju
(para. 39) and there was no reason to doubt that statement. He wished
point out, however, that at times the independence of the judiciary wa
enshrined in the Constitution but in practice the appointment of judge
influenced by political considerations. Regarding political rights, h
like to know whether the formation of political parties or organizatio
ethnic or religious basis was authorized. He noted, furthermore, that
unemployment no longer seemed to be a problem in the State party, whic
contrary had a shortage of labour. Concerning the right to take part
cultural activities, mention was made in paragraph 89 of Chinese, Isla
African cultural centres; but were there no cultural centres for perso
Creole or European origin?

12. The report contained useful information on the implementation of
article 6 and enumerated the forms of redress available to any persons
rights had been infringed by an act of racial discrimination. Regrett
however, there was no information on specific cases. Regarding the
information on the implementation of article 7, he was pleased to note
the Master Plan on Education for the Year 2000 (para. 98) provided in
particular for education in human values and education for a better li
Concerning the use of languages, the information given in paragraphs 9
and 101, indicating that 10 languages were used (English, French, Hind
Bhojpuri, Tamil, Telegu, Marathi, Mandarin, Urdu and Creole), gave ris
several questions. At a recent meeting of the Committee on Economic,

and Cultural Rights, it had been said that the use of the two main languages spoken by 92 per cent of the population (Creole and Bhojpuri) was still banned in the National Assembly and actively discouraged in all Government institutions. For its part, one non-governmental organization concerned with the rights of the child, the Federation of Pre-School Playgroups, had stated in January 1996 that there was still ethnic discrimination in Mauritius and that the right of the majority to use Creole and Bhojpuri did not appear to be respected either in education or in the media. It would therefore be desirable for the State party to provide some clarification in that regard.

13. In conclusion, he wished to commend Mauritius on the quality of the report it had submitted.

14. Mr. de GOUTTES welcomed the resumption of the dialogue with Mauritius after so many years. The documents before the Committee provided a large amount of information on the instruments guaranteeing the rights of Mauritians. However, those instruments were generally more relevant to the work of the Human Rights Committee and there was also a lack of specific details on their implementation. The information requested in 1987, and again in 1994, on the ethnic composition of the population had not been supplied. The explanation given in paragraph 4 of the report obviously reflected a fine intention to promote a Mauritian identity regardless of the ethnic background of the inhabitants of the island, but the Committee did not have a sound basis on which to work without those statistics.

15. The report also failed to provide information on socio-economic indicators, such as unemployment, mortality, suicide, prostitution, etc., which the Committee needed to understand the position of the various ethnic groups in society.

16. Considering the number of instruments guaranteeing non-discrimination and the remedies available to any complainant, he was surprised that no case of racial discrimination had been brought before the courts in nine years, as indicated in paragraph 31 of the report. He wondered whether that was due to the absence of complaints, to the fact that the complaints had not been pursued, to the lack of public information about citizens' rights, to lack of confidence among the public in the police service and the administration of justice, or to the use of other means to resolve racial conflicts.

17. The Convention could be invoked before the courts - and judicial decisions often underlined the importance of treaties - but, according to paragraph 12 of the core document (HRI/CORE/1/Add.60), the terms of the International Covenant on Civil and Political Rights "as such are not directly enforceable by our courts". He wondered whether the Mauritian system was monist or dualist and whether the Convention took precedence over Mauritian domestic law.

18. Lastly, he would like the delegation of Mauritius to indicate whether arrangements were being made to disseminate the country's twelfth report and the Committee's concluding observations on it.

19. Mr. SHERIFIS said that he wished to commend Mauritius most particularly on having given concrete and encouraging information and for having sent a high-level delegation.

20. In paragraph 6 of the report, he noted an especially interesting feature of the country's political practice, namely the selection of eight members of the National Assembly "from among the best losers at the elections". He would appreciate having details on the method of selection of those representatives and on their mandate.

21. Regarding the implementation of article 5 of the Convention, further information would be welcome on how Mauritius ensured that all communities took part in the country's political life, how far the various communities had access to radio and television programmes in their languages and whether there were private stations, what restrictions were placed on the right to freedom of movement, and the reason for the surprising clause making the choice of a spouse conditional on respect for the rights and freedoms of others, public order and public morals.

22. Lastly, he would like to put to the Mauritian delegation three questions that he asked of practically all delegations. Was the Government ready to agree to the amendment of the Committee's financing? Was it planning to make the declaration provided for in article 14 of the Convention? Was it endeavouring to give publicity to the Convention and to publish the records of the Committee's discussions, or at least its concluding observations?

23. Mr. VALENCIA RODRIGUEZ said that he, too, was somewhat intrigued by the appointment of eight members of the National Assembly from among the election losers. He would like to know which ethnic groups generally lost the elections, which were the winners and how that system guaranteed the fair representation of all ethnic groups.

24. He welcomed all the measures taken to implement article 2 of the Convention, but regarding the information provided in the report in paragraphs 13, 16 and 23, respectively, he would like to know in what cases the Constitution had been given a generous construction, what were the exceptions to prohibiting the passage of a law that was discriminatory and how far those exceptions affected the various ethnic groups, and whether section 282 of the Criminal Code had been invoked in cases of discrimination against a particular group. He would also like to know why the Government, which affirmed that there had been no cases of racial discrimination, had nevertheless prohibited the distribution of a book that it had considered too dangerous for racial peace.

25. Judging from the information on the implementation of article 4 of the Convention, the few provisions adopted in that regard were insufficient considering the vast scope of the article.

26. The restrictions placed on freedom of movement in the country and the amendment of the Mauritius Citizenship Act to overcome the difficulties encountered by women non-citizens married to Mauritian citizens and persons holding dual nationality were relevant to the implementation of article 5 and therefore required clarification.

27. There was every reason to be pleased with the way in which Mauritius was giving effect to articles 6 and 7 of the Convention and he could only encourage it to continue along that path.

28. Mr. CHIGOVERA noted with satisfaction the influence of the Convention on judicial decisions. That influence should, however, be reinforced by promulgating the requisite legislation for the Convention to be incorporated into the country's domestic law.

29. There was no mention in the information concerning the implementation of article 4, or anywhere else in the report, of measures taken to outlaw racist organizations and to prohibit any encouragement of racism by a public body. States parties were required to give effect to article 4 as a whole, yet section 282 of the Criminal Code concerned only subparagraph (a) of that article.

30. While good progress was being made to give effect to article 5, in the case of article 6, on the other hand, the Committee might wonder how the most disadvantaged could seek redress in the ways enumerated in paragraph 93 of the report. Further information on any assistance given to them and on the possible role of the Ombudsman regarding protection against racial discrimination would be welcome.

31. Mr. AROUL-NASR said that while some points still needed clarification and some provisions were as yet being given effect only partially, Mauritius deserved more praise than criticism. It was indeed gratifying to note the country's economic growth and the fact that Mauritians in their daily lives could enjoy the rights enumerated in article 5 of the Convention, as witnessed by the concrete examples given in the report.

32. It was not a bad thing for the experts to have diverging views on particular aspects of the life of a country as that enriched their discussion. However, they were bound to agree that every Government had the right, especially when resources were limited - and holding a census, for example, was extremely costly - to act in accordance with its own priorities, which often differed from those set elsewhere. The Government of Mauritius had not completed its task, of course, but the Committee must recognize that it had already obtained some very good results.

33. The Mauritian delegation withdrew.

Third to ninth periodic reports of Zaire (CERD/C/237/Add.2); tenth periodic report of Zaire (CERD/C/278/Add.1)

34. At the invitation of the Chairman, Mr. Marume Mulume (Zaire) took a place at the Committee table.

35. Mr. MARUME MULUME (Zaire), replying to the questions and comments of members of the Committee, said that the Transitional Constitutional Act promulgated in 1994 had replaced the 1967 Constitution which, together with the amendments made to it in the course of nearly 30 years, had previously governed Zaire. The transition period had originally been due to end on

30 July 1995 but, because of the practical difficulties encountered in organizing elections, the High Council of the Republic had extended it until 9 July 1997. A new Constitution was due to be adopted by referendum before the end of the first quarter of 1997; thereafter, general elections to the Parliament and for the office of President of the Republic were to be held in May 1997 at the latest. The Zairian authorities attached great importance to keeping to that date, since the transition period was prejudicial to everyone.

36. Zaire had been engaged in a democratic process for about six years. Its previous Constitution had established a presidential regime which, together with a one-party system, had led to State authority being concentrated mainly in the hands of the President of the Republic. The Constitutional Act had instituted a sharing arrangement between the President of the Republic, the Government and the High Council of the Republic - Transitional Parliament. However, that change had been made without elections and rules had therefore had to be defined to manage the transition. Considering the large number of parties - 450, for a population of around 45 million - which had succeeded the one-party system, and in the absence of the legitimacy that derived from elections, Zaire had by consensus and following negotiations in the African tradition arrived at the Constitutional Act, which defined the fields of competence. Article 11 of that Act (CERD/C/278/Add.1, para. 5) in no way conflicted with article 78, under which the Prime Minister had to be chosen from a political family other than that of the President of the Republic. The two provisions were complementary: a grouping of the 450 existing political parties into two "platforms" or "political families" had been necessary, pending the elections, to permit a sort of "cohabitation" between different political tendencies such as could also be found in a country like France.

37. It had to be appreciated that the passage from a one-party system to a pluralist system released long-contained energies and passions and led to disruptions of all kinds. In Zaire, those phenomena had been aggravated by the economic, social and financial crisis already affecting the country for some 15 years. In such circumstances, care was needed when instituting trade union freedom, the right to strike, the right to demonstrate, etc., to make sure that what remained of the national infrastructure was not destroyed. Unfortunately, the first two years of the process of democratization had been marked by slippage and by the pillaging of the national economy in 1991 and 1993. That situation caused insecurity for people and property and many breaches of human rights and fundamental freedoms. The two reports of the Special Rapporteur on the situation of human rights in Zaire (E/CN.4/1995/67 and E/CN.4/1996/66) cited at the 1171st meeting did not adequately reflect that de facto situation. Theory was one thing, but experience and day-to-day life were another.

38. With regard to nationality, Zairian law was quite liberal, as had been noted by members of the Committee. However, Zairian nationality was "one and exclusive", and holding more than one nationality was not possible. Anyone acquiring Zairian nationality, by one of the means provided for by law, had to give up his previous nationality. The ethnic conflicts connected with nationality that had arisen in eastern Zaire, involving the Banyarwanda in North Kivu and the Banyamulenge in South Kivu, concerned the application of the nationality law. In 1972, and then again in 1978, Zaire had made large efforts to regularize the status of and had granted Zairian nationality to

thousands of Rwandans living in its territory. However, the beneficiaries of those measures had not always behaved as worthy sons of their new fatherland. Three months after the Rwandan Patriotic Front (FPR) had taken power in Kigali, many had gone back to Rwanda, because that had been in their interest. The Zairian political authorities were accused of stirring up ethnic hatred. Yet Zaire was hosting the largest number of refugees in Africa (from Angola, the Sudan, Uganda, Rwanda and Burundi). Many had become integrated, without requesting Zairian nationality, and were doing very well.

39. In the Great Lakes region, the ethnic conflict between refugees and the local population was compounded by a still unresolved problem of allotment of land. There were currently about 1,200,000 Rwandan refugees and between 300,000 and 400,000 Burundian refugees in the Republic of Zaire, i.e. some 1,600,000 to 1,700,000 refugees (according to the latest figures from the Office of the United Nations High Commissioner for Refugees). The Kivu region had 6 million inhabitants, but the towns close to Rwanda and Burundi - Goma, 200,000 inhabitants; Bukavu, 350,000 inhabitants - were alone now hosting 1,200,000 persons. However, their ageing infrastructure could not cope. The influx of refugees was causing frustration, aggravated by pre-existing tensions. The refugees - old and new - were banding together, very often to the detriment of the local populations. In view of such tensions, Zaire had decided to proceed with the forced repatriation of refugees. It had then somewhat reconsidered its decision, hoping that voluntary repatriation would be organized by the international community. Unfortunately, two years later, the Rwandan refugees were still in Zairian territory. That situation, which was difficult for Zaire to manage, was also putting strain on the Kigali regime; the Rwandan authorities were convinced that their misfortune came from Zaire. Yet Zaire had not had anything to do with the dramatic situation that had occurred in Rwanda. It had merely hosted what refugees there had been in the country. That situation needed to be analysed in an unbiased manner. However, in his latest report, submitted two weeks earlier, the Special Rapporteur on the situation of human rights in Zaire affirmed that the Zairian authorities were stirring up ethnic hatred and conflict. It was deplorable that more weight should be attached to the statements by a special rapporteur who had spent a fortnight in a country of 2.5 million km than to the information and clarifications submitted by the Zairian delegation to the Commission on Human Rights.

40. Questions had been asked concerning the right to a fair trial and the impunity of perpetrators of human rights violations. Such impunity did not stem from any political will, but from the weakness of authority, from the shortage of material and human resources and from the general crisis. Despite those difficulties, in 1994 approximately 150 military personnel had been tried for offences they had committed. Instructions from the Ministry of Justice furthermore recalled the rules to be observed in regard to custody, arrest and pre-trial detention and stated that any breach of those rules made the perpetrator liable to sanctions. In its future reports to the Committee, Zaire would provide statistical information in that regard. Another question concerned political rights and representation in the National

Electoral Commission. Each "group of political parties" had to nominate 4 representatives by region (there were 11 regions in Zaire) to the Commission pending the elections. Lastly, the law on political parties did not authorize parties based on religious ideology.

41. There had also been questions on the economic situation. The crisis experienced by the country was inevitably having some disastrous consequences in the social field, and particularly among young people. Zaire had an enormous economic potential, but the fact was that the wealth it possessed had unfortunately not made it possible to improve the situation in areas such as education and health. The important thing now was to correct the mistakes of the past and to place the human being once again at the centre of the political system.

42. When acceding to a number of international instruments, Zaire had committed itself to raising public awareness of human rights standards and ensuring wide dissemination of the recommendations of the United Nations treaty bodies. For some time, the Government had been regularly reminding those in charge of key sectors of society, such as the media and education, of the need to ensure that the principles set forth in the international instruments were applied in everyday life. In that regard, he could provide members of the Committee with copies of guidelines sent by the Prime Minister to the Minister of Secondary and Higher Education and to the leaders of the press, urging them to give emphasis to those instruments in their respective fields.

43. While Zairian legislation generally conformed to international standards, its enforcement left much to be desired. Like the promotion of human rights, the struggle against discrimination was a long-term endeavour. Zaire therefore had to look to the future with the determination to implement what had not been implemented, and each day to do better than the day before.

44. In Zairian tradition, women had never been considered as inferior to men. Article 112 of the new Labour Code adopted in 1979 stipulated that "under equal conditions of labour, skills and performance, wages shall be equal for all workers, whatever their origin, sex or age". In matters of succession, the new Family Code specified the share of an inheritance passing to female members of the family.

45. In conclusion, up-to-date statistics on the general situation in the country, as requested by members of the Committee, would in future be included in the various reports and communications addressed to the Committee so that it could monitor developments closely.

46. Mr. CHIGOVERA said that the points to which he wished to draw attention did not require an immediate response and were being made solely with reference to future reporting by the State party. In a country as large as Zaire, it was obviously not easy to gather complete data on the 250 tribes living there. Nevertheless, he hoped that the next report would clarify a number of points for the Committee, especially as the State party had recognized that tribal differences could jeopardize the stability of the nation.

47. Under article 11 of the Constitution, as cited in paragraph 4 of the report, "All Zairians are equal before the law and are entitled to equal protection by the law". Paragraph 5 went on to say that, under article 34 of the Constitution, foreigners were entitled to the same protection of person and property as Zairians. The Constitution thus made a distinction between the two population groups and it was therefore important to know whether the protection accorded to foreigners extended to other rights, including political rights.

48. Various paragraphs of the report mentioned fines imposed for racially or ethnically motivated offences. Those fines had been set by law 30 years previously and it might be asked whether the amounts cited were still of any relevance given the large depreciation of the Zairian currency since then.

49. Mr. SHERIFIS, referring to the information that the President of the Republic and the Prime Minister must belong to two different political families, asked what exactly was meant by the term "political family" and whether that formula was designed to prevent any one party from gaining a monopoly of power.

50. Mr. de BOUTTER recalled the point he had made the previous day concerning the fact that the equilibrium of a whole region of Africa depended on the situation in Zaire. Considering the massive inflow of refugees, the economic and social crisis and the difficulties characterizing the transition period, the State party should be requested to keep the Committee regularly informed of developments.

51. Mr. DIACONU said that, in a statement made in April 1996 to the Commission on Human Rights, the Zairian Minister responsible for institutional reform had indirectly answered some of the concerns expressed by members of the Committee. He had, in particular, given details about the ethnic unrest. It would seem that the conflict with the Banyamulenge was due to the fact that the Rwandan population wanted to enjoy political rights without opting for Zairian citizenship, and that was difficult to accept. As the issue appeared not to be one of discrimination, the problem did not fall within the Committee's terms of reference. The Minister had also mentioned two other cases: the prohibition of a xenophobic sect by the Government and the dismissal of a governor who had been one of the instigators of an ethnic cleansing campaign. Regardless of the ethnic origin of the person concerned, that action seemed quite justified.

52. Mr. van BOVEN noted that the situation remained explosive, despite the measures taken, and it was therefore necessary to monitor developments closely. The Committee had reason to welcome the assurances given by the delegation concerning the regular submission of the State party's reports. In that connection, it should be recalled that the next report of Zaire was due on 21 May 1997.

53. Although the Committee had received a great deal of information about Zairian legislation, there were few details concerning the actual implementation of laws. Furthermore, some of the basic information on institutions and the composition of the population would not have been

requested if a core document had been available to the Committee. Since such a document could be used by all the United Nations treaty bodies, the State party was strongly encouraged to submit one. With regard to the setting up of a human rights office in Kinshasa, he would be grateful if the representative of Zaire would inform his authorities of the importance attached by the Committee to its establishment at the earliest date.

54. Lastly, he hoped that any outstanding questions would be answered in the State party's next report.

55. Mr. MARUME MULUME (Zaire), replying to Mr. Chigovera, said that everything would be done to provide detailed demographic statistics on tribes in the next report. Concerning the treatment of nationals and foreigners, the State party was, needless to say, perfectly entitled to grant political rights only to its nationals. On the other hand, it was bound to ensure equality between the two population groups in regard to the protection of persons and property.

56. As to the fines imposed on persons who committed offences on racial or ethnic grounds, he recognized that the sums quoted in the documents submitted to the Committee no longer corresponded at all to the real situation. The fines were, in fact, regularly adjusted by the Ministry of Finance and the judicial authorities, and care would be taken in future to supply up-to-date figures.

57. Replying to the questions asked by Mr. Sherifis, he confirmed that the country had 250 tribes and 450 parties. To mitigate that dispersion of political forces, the 450 parties all aspiring to exercise power had, on the basis of political platforms, formed two blocs called political families, constituted not along tribal lines but according to their respective affinities.

58. Answering a question put by Mr. de Gouttes, he said that the Zairian authorities would, as far as possible, keep the Committee regularly informed about developments in the country. In response to a comment made by Mr. Diaconu, he indicated that the instigators of the ethnic cleansing campaign in question had been brought to justice and he would arrange for the judgements rendered to be transmitted shortly to the Committee.

59. Regarding the establishment of a human rights office at Kinshasa, he had been informed that the High Commissioner for Human Rights was expecting a Zairian delegation to arrive in Geneva very soon for the signature of the headquarters agreement.

60. Mr. Marume Mulume (Zaire) withdrew.

The meeting rose at 6.10 p.m.